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*Counsel for the Circuit City Stores, Inc.  
Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653-KRH

(Jointly Administered)

**ORDER GRANTING LIQUIDATING TRUST'S FIFTEENTH AND SIXTY  
-FOURTH OMNIBUS OBJECTIONS TO CLAIM NUMBERS 9734 and 9413**  
**(Claimant – Bank of America, N.A., successor by merger to LaSalle Bank N.A. (f/k/a LaSalle  
National Bank), as Trustee for the Registered Holders of GMACCM  
Mortgage Pass-Through Certificates, Series 1997-C1 and CC Independence, LLC)**

THIS MATTER having come before the Court<sup>1</sup> on the Liquidating Trust's (1) Fifteenth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims, Reclassification of Certain Misclassified Claims, Disallowance of Certain Invalid Claims, Disallowance of Certain of Late Filed Claims, Disallowance of Certain Duplicate Claims and Disallowance of Certain Amended Claims), (2) Sixty-Fourth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims) (collectively, the "Objections"), and (3) Notice of Substantive Hearing ("Notice of Substantive Hearing") that requested, among other things, that (a) claim number 9413 of CC Independence, LLC be expunged; (b) claim number 9734

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objections.

be reduced and allowed as a general unsecured claim (the “GUC Claim”) in the amount of \$718,269.82; and (c) payment on the GUC Claim may be made solely to Bank of America, N.A. successor by merger to LaSalle Bank N.A. (f/k/a LaSalle National Bank), as Trustee for the Registered Holders of GMACCM Mortgage Pass-Through Certificates, Series 1997-C1 as the holder of all beneficial interest; and it appearing that due and proper notice and service of the Objections and Notice of Substantive Hearing and the hearing (the “Hearing”) as set forth therein was good and sufficient and that no other further notice or service of the Objections or the Hearing need be given; and it appearing that the relief requested in the Objections and at the Hearing is in the best interest of the Liquidating Trust, the Debtors’ estates, creditors, and other parties-in-interest; and after due deliberation thereon, good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objections are GRANTED as provided herein.
2. Claim number 9413 of CC Independence, LLC is hereby EXPUNGED.
3. Claim number 9734 is hereby reduced and allowed as a general unsecured claim in the amount of \$718,269.82.
4. All other amounts sought by Claim number 9734 are hereby disallowed for all purposes in these cases.
5. The Liquidating Trust shall make payment on the GUC Claim to Bank of America, N.A., by merger to LaSalle Bank N.A. (f/k/a LaSalle National Bank), as Trustee for successor the Registered Holders of GMACCM Mortgage Pass-Through Certificates, Series 1997-C1.

6. The Liquidating Trust shall serve a copy of this Order on the claimants as served by the Notice of Substantive Hearing.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Apr 26 2017  
Richmond, Virginia

/s/ Kevin R. Huennekens

HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

Entered on Docket:4/26/17

TAVENNER & BERAN, PLC

/s/ Paula S. Beran

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*Counsel for the Circuit City Stores, Inc. Liquidating Trust*

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Paula S. Beran

Paula S. Beran

**Service of Entered Order:**

Paula S. Beran, Esq.  
TAVENNER & BERAN, PLC  
20 North Eighth Street, 2nd Floor  
Richmond, Virginia 23219

Bank of America National Association Successor By Merger  
to LaSalle Bank National Association fka LaSalle National Bank  
Peyton Inge  
c/o Capmark Finance Inc  
700 N Pearl St Ste 2200  
Dallas, TX 75201

Robert Edwards, Esq.  
Polsinelli PC  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112

CC Lafayette LLC  
c/o Eric J. Rietz, Esq.  
Vedder Price P.C.  
222 N. LaSalle Street, Ste 2600  
Chicago, IL 60601

CC Independence LLC  
Attn: Eric J. Rietz, Esq.  
c/o Priscilla Reitz  
1355 Lemond Road  
Owatonna, MN 55060

Berkadia Commercial Mortgage, LLC successor-in-interest to Capmark Finance, Inc., on behalf of  
Bank of America, N.A., as successor by merger to LaSalle Bank, N.A. f/k/a LaSalle National  
c/o Bryan Cave LLP  
Attn: Keitha M. Wright, Esq.  
2200 Ross Avenue, Suite 3300  
Dallas, TX 75201

Capmark Finance, Inc. on behalf of America, N.A.  
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